

## CRIMINAL MINUTE SHEET

### SENTENCING

Date 12/6/11☐ Non-Public DocumentCase No. 10-CR-119-16FTime 1:21 pm - 1:59 pmInterpreter none

Int. Phone \_\_\_\_\_

USA vs. JAMES RANDALL DUKESNancy D. Freudenthal

JUDGE

Abby Logan

CLERK

Jan Davis

CT REPORTER

Kris Danni

PROBATION

Robert MacMaster

MARSHAL

**APPEARANCES**

Government

James C. Anderson

Defendant

Gay Woodhouse

CJA



FPD



RET



WAIVED

☒ Defendant acknowledges having read presentence report☐ Defendant's objections to presentence report☐ Court denies objections to presentence report ☐ Court grants objections to presentence report☐ Witness(es) \_\_\_\_\_☐ Exhibits received by Court \_\_\_\_\_☐ Government to move for departure within 1 year of sentencing**SENTENCING INFORMATION**☒ Defendant is committed to custodyFor a period of 60 months as to Count(s) 1 and 48 as to Count(s) \_\_\_\_\_  
as to Count(s) \_\_\_\_\_ as to Count(s) \_\_\_\_\_☒ Sentence shall be served concurrent to one another☐ Defendant is sentenced to time served ☐ Plus up to ten (10) days to allow for deportation proceedings☒ Upon release from custody, the defendant shall be on **supervised release**For a period of 4 Year(s) as to Count(s) 1 3 years as to Count(s) 48  
as to Count(s) \_\_\_\_\_ as to Count(s) \_\_\_\_\_☐ Supervised Release shall be served to \_\_\_\_\_☐ Defendant to be deported upon release from confinement☐ Defendant is placed on **probation** for a period of \_\_\_\_\_**CONDITIONS OF PROBATION/SUPERVISED RELEASE**☒ Obey all laws, Federal, State & Local☒ Abide by the standard conditions of supervision☐ Home confinement for a period of \_\_\_\_\_☒ Not use or possess firearms/ammunition/explosives☒ Not purchase, use or possess alcohol/intoxicants; frequent places where alcohol is bought, sold or dispensed☐ Submit to mandatory drug testing (w/in 15 days of release)☒ Notify Probation of change in economic circumstance☐ Notify employers of conviction☒ Submit person, residence, office or vehicle to a search☒ Report to Probation w/in 72 hours of release☐ Provide complete financial disclosure as directed☐ Electronic monitoring as directed by Probation☒ Not use or possess controlled substances/drugs☐ Not open new lines of credit or incur new debt☒ Submit to additional drug/alcohol testing and treatment☐ Mandatory drug testing is waived☒ DNA collection☒ Cognitive/Behavioral Treatment☒ Pay one-time fee of \$250.00 to partially defray costs of treatment and/or drug testing

☐ Other (continued from conditions of Probation/Supervised Release)

### **MONETARY IMPOSITIONS**

☒ Defendant shall pay **special assessment(s)** in the amount of \$ 100.00 as to Count(s) 1, \$ 100.00 as to Count(s) 48, \_\_\_\_\_ as to Count(s) \_\_\_\_\_, \_\_\_\_\_ as to Count(s) \_\_\_\_\_ for a **total** of \$ 200.00

☒ Special assessment is due and payable immediately

☒ Special assessment shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 30 days prior to the expiration of supervision

☒ Special assessment shall be paid in monthly installments of at least \$ 25 during the term of supervision

☐ Special assessment remitted

☒ Defendant shall pay a **fine** in the amount of \$ 300.00 as to Count(s) 1 and 48, \_\_\_\_\_ as to Count(s) \_\_\_\_\_, \_\_\_\_\_ as to Count(s) \_\_\_\_\_ for a **total** of \$ 300.00

☒ Fine is due and payable immediately

☒ Fine shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 30 days prior to the expiration of supervision

☒ Fine shall be paid in monthly installments of at least \$ 25 during the term of supervision

☐ Fine shall be paid jointly and severally with \_\_\_\_\_

☐ Fine is waived due to inability to pay

☐ Defendant shall make **restitution** in the amount of \$ 0.00 as to Count(s) \_\_\_\_\_, \_\_\_\_\_ as to Count(s) \_\_\_\_\_, \_\_\_\_\_ as to Count(s) \_\_\_\_\_ for a **total** of \$ 0.00

☐ Restitution is due and payable immediately

☐ Restitution shall be paid through the Inmate Financial Responsibility Program and any balance not paid shall be paid during the term of supervision but no later than 60 days prior to the expiration of supervision

☐ Restitution shall be paid in monthly installments of at least \$ \_\_\_\_\_ during the time of supervision

☐ Restitution shall be paid jointly and severally with \_\_\_\_\_

☐ Other restitution information \_\_\_\_\_

☐ Interest requirement for fine/restitution/special assessment is waived

☒ Defendant is **remanded** to custody of US Marshal

☐ Defendant shall **surrender** to designated prison on/before \_\_\_\_\_ at \_\_\_\_\_ AM

☐ Defendant shall **report** to institution as directed by Probation

☒ Court **recommends placement** at Yankton, South Dakota

☐ Court recommends defendant participate in the prison industries program

☒ Court recommends defendant participate in the Bureau of Prison's 500-hour Residential Drug Treatment Program

☐ Court recommends defendant participate in substance abuse treatment while incarcerated

☒ Defendant advised of right to appeal ☐ Defendant waives right to appeal

☐ Defendant shall forfeit the following property \_\_\_\_\_

☒ Count(s) 28, 46, 47 of the Indictment **dismissed** on the motion of the United States